SENATOR BRASHEAR: Yes, Mr. Speaker.

SENATOR WITEK: If that operating a motor vehicle to avoid
arrest which 22 individuals, judges who were in a courtroom with
22 of those individuals saw fit to increase their sentences for
one reason or another, is that people involved in police chases?

SENATOR BRASHEAR: Clearly that's an element of that offense. I
would point out to you, Senator Witek, that in all these cases
that is what the...we aren't double counting any of these
people.   They aren't serving under two of these offenses so
that, for instance, when you talk about accessory to a felony
it's 12 people who are there impacted by the sentencing under
529 by reason of that particular sentence and that one only.
And the same applies to operating a motor vehicle so that if
there had been other crimes committed for which they could and
would have been prosecuted and sentenced, those would appear
elsewhere.

SENATOR WITEK: But according to your chart again, those
individuals who were operating a motor vehicle to avoid arrest
are also considered nonviolent offenses and even though 22 of
those individuals were sentenced to a longer term because the
judge involved in those cases thought that they should be...

SPEAKER WITHEM: Senator, your time is completed.

SENATOR WITEK: Thank you.

SPEAKER WITHEM: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker, members of the Legislature,
although I'm going to support Senator Brashear's amendment, it
doesn't go as far as I think it should go nor does it do what I
think it ought to do.   The original policy was designed to bring
a measure of uniformity in sentencing throughout this state.
When the criminal code for this state was revised, all offenses
were looked at as well as the sentencing that was attached to
those offenses when a conviction was procured.   There were all
kinds of things scattered through the statutes such as a
particular offense three to five years, another offense six to